

Group 3, claim(s) 11, 12, drawn to a transgenic mammal or cell line, and a knock-out eukaryotic organism.

Group 4, claim(s) 16-22, drawn to a monoclonal and polyclonal antibodies.

Group 5, claim(s) 1, 2, 25-29, drawn to a method of treating cancer in a patient by administering a nucleic acid encoding PP2C alpha.

Group 6, claim(s) 1, 2, 30-33, drawn to a method of treating cancer in a patient by administering a antisense vector encoding PP2C alpha.

Group 7, claim(s) 34, 35, drawn to a method for the activation of the gene product of PP2C alpha.

Group 8, claim(s) 36, 37, 38, drawn to a method to detect cancer in a patient by detecting altered PP2C **beta** activity by methods which employ a polynucleotide.

Group 9, claim(s) 36, 37, 39, drawn to a method to detect cancer in a patient by detecting altered PP2C **beta** activity by methods which employ a polypeptide.

Group 10, claim(s) 40-44, drawn to an antibody which binds to PP2C **beta**.

Applicant hereby elects Group 5, claims 1, 2 and 25-29 which are directed to a method of treating cancer in a patient, without prejudice.

Additionally, Applicant hereby withdraws all pending claims without prejudice and introduces a new set of claims, claims 44-67, all of which relate to the use of protein phosphatase 2C for treating cancer. There is support for these claims in claim 25 as originally filed *inter alia*. More specifically, support for these claims is found in original claims 45, 54 and 58 and on Pages 28, lines 29-30 of the specification as filed. Support for the term "recombinantly reproduced" is found in claims 46, 55, 59 and 63 and is found *inter alia* on Page 13, line 36 and Page 42, line 23. Support for the concept is introducing protein phosphatase 2C into cancerous cells in order to treat the cancerous cells is found throughout the specification and in particular, on Page 1, lines 10-14 and on Page 34, lines 19-23.


The Application is now in condition for allowance, which allowance is respectfully solicited.

In view of the present amendment and foregoing remarks, reconsideration of the rejections and advancement of the case to issue are respectfully requested.

The Commissioner is authorized to charge any fee or credit any overpayment in connection with this communication to our Deposit Account No. 11-1449.

Respectfully submitted,

KOHN & ASSOCIATES



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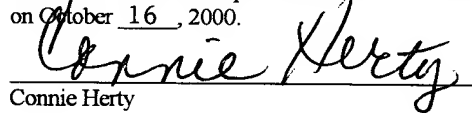
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Dated: October 13, 2000

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on October 16, 2000.



Connie Herty